

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

WILLIAM MATTHEW WATSON,)
)
Petitioner,)
)
v.) Case No. CIV-13-142-D
)
MIKE ADDISON, Warden,)
)
Respondent.)

O R D E R

This matter is before the Court for review of the Report and Recommendation [Doc. No. 6] issued by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B)-(C). Upon initial screening, Judge Erwin recommends that the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus be dismissed without prejudice for lack of jurisdiction. Petitioner has already filed a petition challenging the same criminal conviction; he did not obtain prior authorization to file a second petition; and a transfer to the court of appeals for authorization is not warranted.

The record reflects that Petitioner has neither filed a timely objection to the Report and Recommendation, nor requested additional time to object. The Court therefore finds that Petitioner has waived further review. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, upon *de novo* consideration of the issues, the Court finds that Judge Erwin's analysis is correct. The Court concurs in the recommendation to dismiss the Petition for lack of jurisdiction because it constitutes a second or successive petition subject to the requirements of 28 U.S.C. § 2244(b)(3)(A).

IT IS THEREFORE ORDERED that the Court adopts the Report and Recommendation [Doc. No. 6] in its entirety. The action is dismissed without prejudice. A separate judgment shall be entered accordingly.

IT IS SO ORDERED this 11th day of March, 2013.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE